

Remarks

By the foregoing Amendment, claim 1 is amended and new claim 17 is added. Entry of the Amendment and favorable consideration thereof are earnestly requested.

Drawings

The Applicant is submitting herewith a replacement sheet 6/7 of drawings to address the deficiency noted by the Examiner in the outstanding Official Action.

Claim Rejections

The Examiner has rejected claims 1-4, 6-7, 9 and 15-16 under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rick (U.S. Patent No. 6,000,489). The Examiner also has rejected claims 1-4, 6-7, 10, 12 and 15 under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Nemeth (U.S. Patent No. 6,044,934). Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck in view of Rick and further in view of Stoll (U.S. Patent No. 4,699,042). Claims 1 and 17 are the independent claims.

Claim 1

Applicant respectfully submits that it would not have been obvious to one skilled in the art to modify Momoncheck, in view of Rick or Nemeth, to obtain the invention described in claim 1 because Momoncheck, alone or in view of Rick or Nemeth, does not teach or suggest all of the elements of claim 1 and, therefore, Momoncheck, alone or in view of Rick or Nemeth, does not render claim 1 obvious under 35 U.S.C. 103(a).

Applicant respectfully submits that none of the above references discloses, teaches or suggests a parking lock unit comprising a plurality of jaws movable in a radial direction in the parking lock unit as claimed in claim 1 of the present invention. Applicant submits that neither Rick nor Nemeth shows a parking lock and, although Momoncheck shows a parking lock, it only shows one single ball used for the locking function. Applicant submits that a person of ordinary skill in the art would not

understand the jaws of the present invention to be obvious in view of this teaching of a single ball. Applicant respectfully submits that one of ordinary skill in the art, reading the description and viewing the drawings of the present invention, would understand the teeth (26) of Rick to be just teeth, not jaws as required by claim 1 of the present invention. Applicant submits that the only part of Rick that might be compared to a jaw is the piston rod (24), which is a single piece, not a plurality of jaws, and that therefore Rick would not render obvious the invention embodied in claim 1 of the present invention. Thus, Applicant respectfully submits that that one skilled in the art would not find any suggestion or teaching in Momoncheck or Rick to arrange a plurality of jaws moveable in a radial direction.

Applicant also respectfully submits that the clamp devices (9) of Nemeth do not move in a radial direction, as required by the present invention. There is no radial movement in Nemeth of the clamp devices (9) in relation to rod (4), and thus Applicant submits there is no teaching or suggestion of the radial movement required for the present invention.

Each of the devices shown in Momoncheck, Rick and Nemeth has a relatively complex structure. Applicant submits that the various structures of Momoncheck, Rick and Nemeth have so little in common that one of ordinary skill in the art would find no motivation in these references to combine them in an attempt to arrive at the present invention. Applicant respectfully submits that it would not be obvious to one of ordinary skill in the art how to combine different parts of the relatively complex structures disclosed in the references to try to arrive at the present invention. Moreover, Applicant submits that these references are from different arts and would require a strong motivation to combine that is absent in the references. Thus, Applicant respectfully submits that, for the reasons set forth above, it would not have been obvious to one skilled in the art to modify Momoncheck, in view of Rick or Nemeth, to obtain the invention described in claim 1 because Momoncheck, alone or in view of Rick or Nemeth, does not teach or suggest all of the elements of claim 1 and, therefore,

Momoncheck, alone or in view of Rick or Nemeth, does not render claim 1 obvious under 35 U.S.C. 103(a). Applicant respectfully submits that the rejections of claim 1 under section 103(a) have been traversed and respectfully requests withdrawal of the rejections.

Claims 2-16

Applicant respectfully submits that, since Momoncheck, alone or in view of Rick or Nemeth, does not suggest, teach, disclose or render obvious the invention embodied in claim 1, claims 2-16, which depend on claim 1, are not suggested, taught, disclosed or rendered obvious by Momoncheck, alone or in view of Rick or Nemeth.

Claim 17

Applicant respectfully submits that none of the references, either alone or in combination, discloses, teaches or suggests to one of ordinary skill in the art a parking lock for a brake of a vehicle in which the parking lock has the form of a unit surrounding an axially moveable piston rod of a service brake actuator, and the parking lock unit comprises an electrically actuated locking means, characterized in that the parking lock unit comprises a magnetic housing, enclosing an electromagnet and a plurality of jaws, moveable in a radial direction in the parking lock unit, and the jaws, when locked, prevent axial movement of the piston rod. Applicant submits that it would not have been obvious to one skilled in the art to modify Momoncheck, in view of Rick or Nemeth, to obtain the invention embodied in claim 17 because Momoncheck, alone or in view of Rick or Nemeth, does not teach or suggest all of the elements of claim 17 and, therefore, Momoncheck, alone or in view of Rick or Nemeth, does not render claim 17 obvious under 35 U.S.C. 103(a). For the forgoing reasons, Applicant believes that claim 17 is in a condition fit for allowance and allowance of claim 17 is respectfully requested.

It is respectfully submitted that claims 1-17, all of the claims in the application, are in order for allowance and early notice to that effect is respectfully requested.

Respectfully submitted,



Wesley W. Whitmyer, Jr., Registration No. 33,558
Todd M. Oberdick, Registration No. 44,268
Attorneys for Applicant
ST.ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, CT 06905-5619
203 324-6155